

House Study Bill 271

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
REBUILD IOWA AND
DISASTER RECOVERY BILL
BY CHAIRPERSON SCHUELLER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to natural disaster recovery, including by
2 supporting projects and programs relating to persons and
3 property affected by natural disaster or to prevent or
4 mitigate the effects of a future natural disaster, and
5 providing appropriations.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 2684YC 83
8 da/rj/14

PAG LIN

1 1 DIVISION I
1 2 REBUILD IOWA FUND AND APPROPRIATIONS
1 3 Section 1. NEW SECTION. 8.57D REBUILD IOWA FUND.
1 4 1. A rebuild Iowa fund is created under the authority of
1 5 the department of public defense for use by the homeland
1 6 security and emergency management division. The fund shall
1 7 consist of appropriations made to the fund and transfers of
1 8 interest, earnings, and moneys from other funds as provided by
1 9 law. The fund shall be separate from the general fund of the
1 10 state and the balance in the fund shall not be considered part
1 11 of the balance of the general fund of the state. However, the
1 12 fund shall be considered a special account for the purposes of
1 13 section 8.53, relating to generally accepted accounting
1 14 principles.
1 15 2. Notwithstanding section 12C.7, subsection 2, interest
1 16 or earnings on moneys in the rebuild Iowa fund shall be
1 17 credited to the fund.
1 18 3. Moneys in the fund in a fiscal year shall be used as
1 19 appropriated by the general assembly for purposes of
1 20 supporting projects relating to persons and property affected
1 21 by natural disaster or to prevent or mitigate the effects of a
1 22 future natural disaster.
1 23 4. Notwithstanding section 8.33, moneys credited to the
1 24 fund that remain unencumbered or unobligated at the close of a
1 25 fiscal year shall not revert but shall remain available for
1 26 the purposes designated in this section until the close of the
1 27 fiscal year beginning July 1, 2012.
1 28 5. Any unencumbered or unobligated moneys remaining at the
1 29 close of the fiscal year beginning July 1, 2012, shall be
1 30 credited to the cash reserve fund as created in section 8.56.
1 31 However, if the maximum balance of the cash reserve fund has
1 32 been reached, any remaining unencumbered or unobligated moneys
1 33 from the rebuild Iowa fund shall be credited to Iowa economic
1 34 emergency fund created in section 8.55.
1 35 6. This section is repealed January 1, 2014.
2 1 Sec. 2. IOWA ECONOMIC EMERGENCY FUND.
2 2 1. There is appropriated from the Iowa economic emergency
2 3 fund created in section 8.55 to the rebuild Iowa fund created
2 4 in section 8.57D for the fiscal year beginning July 1, 2009,
2 5 and ending June 30, 2010, notwithstanding the fiscal year
2 6 restriction contained in section 8.55, subsection 3, paragraph
2 7 "a", the following amount, or so much thereof as is necessary:
2 8 \$ 60,000,000
2 9 2. The appropriation made in this section is declared to
2 10 be made for emergency expenditures as required in section
2 11 8.55, subsection 3, paragraph "a".
2 12 Sec. 3. CASH RESERVE FUND.
2 13 1. Notwithstanding the fiscal year restriction contained
2 14 in section 8.56, subsection 3, and subject matter restriction

2 15 contained in section 8.56, subsection 4, paragraph "a", there
2 16 is appropriated from the cash reserve fund to the rebuild Iowa
2 17 fund created in section 8.57D for the fiscal year beginning
2 18 July 1, 2009, and ending June 30, 2010, the following amount,
2 19 or so much thereof as is necessary:

2 20 \$ 40,000,000

2 21 2. The appropriation made in this section is declared to
2 22 be made for nonrecurring emergency expenditures as required in
2 23 section 8.56, subsections 3 and 4.

2 24 3. Notwithstanding section 8.57, subsection 1, paragraph
2 25 "a", subparagraph (1), an appropriation shall not be made for
2 26 the fiscal year beginning July 1, 2010, from the general fund
2 27 of the state to the cash reserve fund because of the
2 28 appropriation made in subsection 1 of this section.

2 29 DIVISION II

2 30 EXPENDITURES FOR PUBLIC AND PRIVATE INFRASTRUCTURE

2 31 Sec. 4. FLOOD AVERSION PROJECTS. There is appropriated
2 32 from the rebuild Iowa fund created in section 8.57D to the
2 33 department of public defense for the homeland security and
2 34 emergency management division for the fiscal year beginning
2 35 July 1, 2009, and ending June 30, 2010, the following amount,
3 1 or so much thereof as is necessary, to be used for the
3 2 purposes designated:

3 3 For providing grants to cities and counties for flood
3 4 aversion projects:

3 5 \$ 20,000,000

3 6 1. a. The division shall award moneys appropriated
3 7 pursuant to this section to pay for costs related to the
3 8 construction, reconstruction, repair, or improvement of public
3 9 or private infrastructure affected by natural disaster or to
3 10 prevent or mitigate the effects of a future natural disaster,
3 11 located in those counties subject to the presidential disaster
3 12 declaration DR=1763=IA occurring after May 24, 2008, and
3 13 before August 14, 2008.

3 14 b. The infrastructure projects supported by the grants
3 15 provided in this section shall include but are not limited to
3 16 shovel-ready dirt movement, berms, levees, floodgates, and
3 17 flood walls. The grants may be used to pay for engineering
3 18 services or certification costs associated with a project.

3 19 2. The division shall award a grant provided in this
3 20 section to a city or county on a cost-share basis with the
3 21 division contributing seventy percent of the project's cost.
3 22 A city or county shall not use moneys appropriated by the
3 23 state in order to satisfy its thirty percent cost-share
3 24 contribution.

3 25 3. A city or county shall apply to the division to be
3 26 awarded a grant in a manner and according to procedures
3 27 required by the division. When approving the application, the
3 28 division may approve all or part of the requested grant.

3 29 4. A city or county shall not be awarded a grant under
3 30 this section, if the county or city has received a grant for
3 31 the same project under a different section of this Act, unless
3 32 moneys are available under this section to provide grants for
3 33 all qualified projects.

3 34 5. The general assembly intends that moneys appropriated
3 35 to the division under this section support as many qualified
4 1 projects as possible.

4 2 6. The division may cooperate with interested federal,
4 3 state, and local agencies or private organizations in
4 4 administering a project, including but not limited to the
4 5 department of natural resources and the department of
4 6 agriculture and land stewardship.

4 7 7. Notwithstanding section 8.33, moneys appropriated in
4 8 this section to the department of public defense for the
4 9 homeland security and emergency management division that
4 10 remain unencumbered or unobligated at the close of the fiscal
4 11 year shall not revert but shall remain available for
4 12 expenditure for the purposes designated until the close of the
4 13 fiscal year beginning July 1, 2011.

4 14 Sec. 5. STORM WATER DRAINAGE SYSTEM PROJECTS. There is
4 15 appropriated from the rebuild Iowa fund created in section
4 16 8.57D to the department of public defense for the homeland
4 17 security and emergency management division for the fiscal year
4 18 beginning July 1, 2009, and ending June 30, 2010, the
4 19 following amount, or so much thereof as is necessary, to be
4 20 used for the purposes designated:

4 21 For providing grants to cities and counties for storm water
4 22 drainage system projects:

4 23 \$ 14,000,000

4 24 1. a. The division shall use the moneys appropriated
4 25 pursuant to this section to support the installation of

4 26 equipment or the construction of facilities associated with a
4 27 storm water drainage system, affected by natural disaster or
4 28 to prevent or mitigate the effects of a future natural
4 29 disaster, in those counties subject to the presidential
4 30 disaster declaration DR=1763=IA occurring after May 24, 2008,
4 31 and before August 14, 2008.

4 32 b. The infrastructure projects supported by the grants
4 33 provided in this section shall include but are not limited to
4 34 pumping stations or lift stations, collection or retention
4 35 facilities, and other property used in the collection,
5 1 conveyance, treatment, and disposal of storm water. The
5 2 grants may be used to support the payment of engineering
5 3 services or certification costs associated with a project.

5 4 2. The division shall award a grant provided in this
5 5 section to a city on a cost=share basis with the division
5 6 contributing seventy percent of the project's cost. A city or
5 7 county shall not use moneys appropriated by the state in order
5 8 to satisfy its thirty percent cost=share contribution.

5 9 3. A city or county shall apply to the division to be
5 10 awarded a grant in a manner and according to procedures
5 11 required by the division. When approving the application, the
5 12 division may approve all or part of the requested grant.

5 13 4. A city or county shall not be awarded a grant under
5 14 this section, if the county or city has received a grant for
5 15 the same project under a different section of this Act, unless
5 16 moneys are available under this section to provide grants for
5 17 all qualified projects.

5 18 5. The general assembly intends that moneys appropriated
5 19 to the division under this section support as many qualified
5 20 projects as possible.

5 21 6. The division may cooperate with interested federal,
5 22 state, and local agencies or private organizations in
5 23 administering a project, including but not limited to the
5 24 department of natural resources.

5 25 7. Notwithstanding section 8.33, moneys appropriated in
5 26 this section to the department of public defense for the
5 27 homeland security and emergency management division that
5 28 remain unencumbered or unobligated at the close of the fiscal
5 29 year shall not revert but shall remain available for
5 30 expenditure for the purposes designated until the close of the
5 31 fiscal year beginning July 1, 2011.

5 32 Sec. 6. CULTURAL AND HISTORICAL PROJECTS. There is
5 33 appropriated from the rebuild Iowa fund created in section
5 34 8.57D to the department of public defense for the homeland
5 35 security and emergency management division for the fiscal year
6 1 beginning July 1, 2009, and ending June 30, 2010, the
6 2 following amount, or so much thereof as is necessary, to be
6 3 used for the purposes designated:

6 4 For providing grants to counties and cities for cultural
6 5 and historical projects:

6 6 \$ 15,000,000

6 7 1. a. The division shall award moneys appropriated
6 8 pursuant to this section to pay for costs related to the
6 9 construction, reconstruction, repair, or improvement of
6 10 structures or facilities or to repair, restore, or replace
6 11 property of cultural or historical significance, affected by
6 12 natural disaster or to prevent or mitigate the effects of a
6 13 future natural disaster, in those counties subject to the
6 14 presidential disaster declaration DR=1763=IA occurring after
6 15 May 24, 2008, and before August 14, 2008.

6 16 b. The infrastructure projects supported by the grants
6 17 provided in this section includes real property and personal
6 18 property that is part of a public place including but not
6 19 limited to a public place dedicated in whole or in part as an
6 20 aquarium; archive; art gallery; cemetery, civic center, or
6 21 concert hall; historic building, structure, or site; or
6 22 library, monument, museum, theatre, or zoo.

6 23 2. The division shall award a grant provided in this
6 24 section to a county or city on a cost=share basis with the
6 25 division contributing seventy percent of the project's cost.
6 26 A city or county shall not use moneys appropriated by the
6 27 state in order to satisfy its thirty percent cost=share
6 28 contribution.

6 29 3. A city or county shall apply to the division to be
6 30 awarded a grant in a manner and according to procedures
6 31 required by the division. When approving the application, the
6 32 division may approve all or part of the requested grant.

6 33 4. A city or county shall not be awarded a grant under
6 34 this section, if the county or city has received a grant for
6 35 the same project under a different section of this Act, unless
7 1 moneys are available under this section to provide grants for

7 2 all qualified projects.
7 3 5. The general assembly intends that moneys appropriated
7 4 to the division under this section support as many qualified
7 5 projects as possible.
7 6 6. The division may cooperate with interested federal,
7 7 state, and local agencies or private organizations in
7 8 administering a project, including but not limited to the
7 9 department of cultural affairs.
7 10 7. Notwithstanding section 8.33, moneys appropriated in
7 11 this section to the department of public defense for the
7 12 homeland security and emergency management division that
7 13 remain unencumbered or unobligated at the close of the fiscal
7 14 year shall not revert but shall remain available for
7 15 expenditure for the purposes designated until the close of the
7 16 fiscal year beginning July 1, 2011.

7 17 Sec. 7. SINGLE-FAMILY RESIDENTIAL PROPERTY ACQUISITION
7 18 PROJECTS. There is appropriated from the rebuild Iowa fund
7 19 created in section 8.57D to the department of public defense
7 20 for the homeland security and emergency management division
7 21 for the fiscal year beginning July 1, 2009, and ending June
7 22 30, 2010, the following amount, or so much thereof as is
7 23 necessary, to be used for the purposes designated:

7 24 For providing grants to counties and cities for
7 25 single-family residential property acquisition:
7 26 \$ 12,500,000

7 27 1. a. The division shall award moneys appropriated
7 28 pursuant to this section to pay for costs of acquiring
7 29 single-family residential property that has been affected by
7 30 natural disaster, in those counties subject to the
7 31 presidential disaster declaration DR=1763=IA occurring after
7 32 May 24, 2008, and before August 14, 2008.

7 33 b. The division may award a part of the grant for the
7 34 demolition and removal of structures or debris, and for the
7 35 preparation of the acquired property for a new use.

8 1 c. The division shall not award a grant to a county or
8 2 city for purposes of acquiring property, if the county or city
8 3 has received moneys from the federal government for the
8 4 acquisition of the same property.

8 5 2. The division shall award a grant provided in this
8 6 section to a county or city on a cost-share basis with the
8 7 division contributing seventy percent of the project's cost.
8 8 A city or county shall not use moneys appropriated by the
8 9 state in order to satisfy its thirty percent cost-share
8 10 contribution.

8 11 3. A city or county shall apply to the division to be
8 12 awarded a grant in a manner and according to procedures
8 13 required by the division. When approving the application, the
8 14 division may approve all or part of the requested grant.

8 15 4. A city or county shall not be awarded a grant under
8 16 this section, if the county or city has received a grant for
8 17 the same project under a different section of this Act, unless
8 18 moneys are available under this section to provide grants for
8 19 all qualified projects.

8 20 5. The general assembly intends that moneys appropriated
8 21 to the division under this section support as many qualified
8 22 projects as possible.

8 23 6. The division may cooperate with interested federal,
8 24 state, and local agencies or private organizations in
8 25 administering a project, including but not limited to the Iowa
8 26 finance authority, the department of natural resources, and
8 27 county conservation boards.

8 28 7. Notwithstanding section 8.33, moneys appropriated in
8 29 this section to the department of public defense for the
8 30 homeland security and emergency management division that
8 31 remain unencumbered or unobligated at the close of the fiscal
8 32 year shall not revert but shall remain available for
8 33 expenditure for the purposes designated until the close of the
8 34 fiscal year beginning July 1, 2011.

8 35 Sec. 8. PARKS, GREEN SPACES, AND RECREATIONAL AREAS
9 1 PROJECTS. There is appropriated from the rebuild Iowa fund
9 2 created in section 8.57D to the department of public defense
9 3 for the homeland security and emergency management division
9 4 for the fiscal year beginning July 1, 2009, and ending June
9 5 30, 2010, the following amount, or so much thereof as is
9 6 necessary, to be used for the purposes designated:

9 7 For providing grants to counties and cities for parks,
9 8 green spaces, and recreational areas projects:
9 9 \$ 5,000,000

9 10 1. The division shall award moneys appropriated pursuant
9 11 to this section to pay for costs related to the construction,
9 12 reconstruction, repair, or improvement of structures,

9 13 equipment, or facilities, or to repair or restore or replace
9 14 proper to associated with parks, green spaces, and
9 15 recreational areas that have been affected by natural disaster
9 16 or to prevent or mitigate the effects of a future natural
9 17 disaster, in those counties subject to the presidential
9 18 disaster declaration DR=1763=IA occurring after May 24, 2008,
9 19 and before August 14, 2008.

9 20 2. The division shall award a grant provided in this
9 21 section to a county or city on a cost=share basis with the
9 22 division contributing seventy percent of the project's cost.
9 23 A city or county shall not use moneys appropriated by the
9 24 state in order to satisfy its thirty percent cost=share
9 25 contribution.

9 26 3. A city or county shall apply to the division to be
9 27 awarded a grant in a manner and according to procedures
9 28 required by the division. When approving the application, the
9 29 division may approve all or part of the requested grant.

9 30 4. A city or county shall not be awarded a grant under
9 31 this section, if the county or city has received a grant for
9 32 the same project under a different section of this Act, unless
9 33 moneys are available under this section to provide grants for
9 34 all qualified projects.

9 35 5. The general assembly intends that moneys appropriated
10 1 to the division under this section support as many qualified
10 2 projects as possible.

10 3 6. The division may cooperate with interested federal,
10 4 state, and local agencies or private organizations in
10 5 administering a project, including but not limited to the
10 6 department of natural resources and county conservation
10 7 boards.

10 8 7. Notwithstanding section 8.33, moneys appropriated in
10 9 this section to the department of public defense for the
10 10 homeland security and emergency management division that
10 11 remain unencumbered or unobligated at the close of the fiscal
10 12 year shall not revert but shall remain available for
10 13 expenditure for the purposes designated until the close of the
10 14 fiscal year beginning July 1, 2011.

10 15 Sec. 9. DAY CARE RELOCATION PROJECTS. There is
10 16 appropriated from the rebuild Iowa fund created in section
10 17 8.57D to the department of public defense for the homeland
10 18 security and emergency management division for the fiscal year
10 19 beginning July 1, 2009, and ending June 30, 2010, the
10 20 following amount, or so much thereof as is necessary, to be
10 21 used for the purposes designated:

10 22 For providing grants to counties and cities for day care
10 23 relocation projects:

10 24 \$ 5,000,000

10 25 1. The division shall award moneys appropriated pursuant
10 26 to this section to pay for costs associated with relocating
10 27 child care facilities or child care homes as provided in
10 28 chapter 237A due to a natural disaster in those counties
10 29 subject to the presidential disaster declaration DR=1763=IA
10 30 occurring after May 24, 2008, and before August 14, 2008.

10 31 2. The division shall award a grant provided in this
10 32 section to a county or city on a cost=share basis with the
10 33 division contributing seventy percent of the project's cost.
10 34 A city or county shall not use moneys appropriated by the
10 35 state in order to satisfy its thirty percent cost=share
11 1 contribution.

11 2 3. A city or county shall apply to the division to be
11 3 awarded a grant in a manner and according to procedures
11 4 required by the division. When approving the application, the
11 5 division may approve all or part of the requested grant.

11 6 4. A city or county shall not be awarded a grant under
11 7 this section, if the county or city has received a grant for
11 8 the same project under a different section of this Act, unless
11 9 moneys are available under this section to provide grants for
11 10 all qualified projects.

11 11 5. The general assembly intends that moneys appropriated
11 12 to the division under this section support as many qualified
11 13 projects as possible.

11 14 6. The division may cooperate with interested federal,
11 15 state, and local agencies or private organizations in
11 16 administering a project, including but not limited to the
11 17 department of human services and the department of inspections
11 18 and appeals.

11 19 7. Notwithstanding section 8.33, moneys appropriated in
11 20 this section to the department of public defense for the
11 21 homeland security and emergency management division that
11 22 remain unencumbered or unobligated at the close of the fiscal
11 23 year shall not revert but shall remain available for

11 24 expenditure for the purposes designated until the close of the
11 25 fiscal year beginning July 1, 2011.

11 26 Sec. 10. NONPROFIT ENTITIES RESTORATION PROJECTS. There
11 27 is appropriated from the rebuild Iowa fund created in section
11 28 8.57D to the department of public defense for the homeland
11 29 security and emergency management division for the fiscal year
11 30 beginning July 1, 2009, and ending June 30, 2010, the
11 31 following amount, or so much thereof as is necessary, to be
11 32 used for the purposes designated:

11 33 For providing grants to counties and cities for nonprofit
11 34 entities' restoration projects:

11 35 \$ 5,000,000

12 1 1. The division shall award moneys appropriated pursuant
12 2 to this section to pay for costs related to the construction,
12 3 reconstruction, repair, or improvement of real property owned
12 4 or leased by a nonprofit entity that is affected by natural
12 5 disaster or to prevent or mitigate the effects of a future
12 6 natural disaster, in those counties subject to the
12 7 presidential disaster declaration DR=1763=IA occurring after
12 8 May 24, 2008, and before August 14, 2008.

12 9 2. In order to be awarded moneys under this section, the
12 10 nonprofit entity must be exempt from federal income taxation
12 11 pursuant to section 501(c)(3) of the Internal Revenue Code and
12 12 organized to achieve a benevolent, educational, philanthropic,
12 13 humane, scientific, patriotic, social welfare or advocacy,
12 14 public health, environmental, conservation, civic, or other
12 15 charitable objective.

12 16 3. The division shall award a grant provided in this
12 17 section to a city or county on a cost=share basis with the
12 18 division contributing seventy percent of the project's cost.
12 19 A city or county shall not use moneys appropriated by the
12 20 state in order to satisfy its thirty percent cost=share
12 21 contribution.

12 22 4. A city or county shall apply to the division to be
12 23 awarded a grant in a manner and according to procedures
12 24 required by the division. When approving the application, the
12 25 division may approve all or part of the requested grant.

12 26 5. A city or county shall not be awarded a grant under
12 27 this section, if the county or city has received a grant for
12 28 the same project under a different section of this Act, unless
12 29 moneys are available under this section to provide grants for
12 30 all qualified projects.

12 31 6. The general assembly intends that moneys appropriated
12 32 to the division under this section support as many qualified
12 33 projects as possible.

12 34 7. The division may cooperate with interested federal,
12 35 state, and local agencies or private organizations in
13 1 administering a project.

13 2 8. Notwithstanding section 8.33, moneys appropriated in
13 3 this section to the department of public defense for the
13 4 homeland security and emergency management division that
13 5 remain unencumbered or unobligated at the close of the fiscal
13 6 year shall not revert but shall remain available for
13 7 expenditure for the purposes designated until the close of the
13 8 fiscal year beginning July 1, 2011.

13 9 Sec. 11. HUMAN RESOURCES TELEPHONE HELPLINE PROJECT.

13 10 There is appropriated from the rebuild Iowa fund created in
13 11 section 8.57D to the department of public defense for the
13 12 homeland security and emergency management division for the
13 13 fiscal year beginning July 1, 2009, and ending June 30, 2010,
13 14 the following amount, or so much thereof as is necessary, to
13 15 be used for the purposes designated:

13 16 For providing a grant to a human resources assistance
13 17 directory project:

13 18 \$ 250,000

13 19 The division shall award moneys appropriated pursuant to
13 20 this section to support the statewide improvement of a free
13 21 and confidential telephone hotline available twenty=four hours
13 22 a day, seven days a week, that provides information or refers
13 23 callers to appropriate private or government entities that
13 24 provide assistance relating to families, housing, food,
13 25 health, legal advice, child and senior services, or volunteer
13 26 opportunities.

13 27 DIVISION III
13 28 EXPENDITURES FOR LONG=TERM SOIL
13 29 AND WATER MANAGEMENT PRACTICES

13 30 Sec. 12. STUDY OF THE IMPACTS OF AGRICULTURAL LAND
13 31 MANAGEMENT ON IOWA HYDROLOGY. There is appropriated from the
13 32 rebuild Iowa fund created in section 8.57D to the department
13 33 of agriculture and land stewardship for the fiscal period
13 34 beginning July 1, 2009, and ending June 30, 2010, the

13 35 following amount, or so much thereof as is necessary, to be
14 1 used for the purposes designated:

14 2 For purposes of establishing a research project to study
14 3 the impact of agricultural land management on Iowa's
14 4 hydrology, including salaries, support, maintenance, and
14 5 miscellaneous purposes:

14 6 \$ 795,500

14 7 1. The department may use a combination of new and
14 8 existing sites to evaluate all of the following:

14 9 a. The use of hydrologic modeling tools to evaluate how
14 10 watersheds could be designed or redesigned to reduce the
14 11 downstream hydrologic footprint and water quality impacts of
14 12 Iowa agriculture under a range of precipitation patterns,
14 13 including but not limited to extreme precipitation events, and
14 14 under a range of extreme precipitation event frequencies.

14 15 b. The impact of long-term soil and water practices on
14 16 surface water runoff using plot-scale measurements by
14 17 addressing how tillage practices impact surface water runoff
14 18 under a range of natural precipitation patterns and whether
14 19 reduced tillage practices reduce volumes and rates of surface
14 20 water runoff.

14 21 c. The impact of buffers and complete conversion of crop
14 22 land to perennial vegetation on surface water runoff using
14 23 hill-slope scale measurements.

14 24 d. The drainage impacts on surface water runoff on
14 25 field-scale areas, including the impact of subsurface drainage
14 26 on surface runoff using small field-scale areas under drained
14 27 versus undrained conditions.

14 28 e. The impact of various drainage system designs on the
14 29 contribution of surface water runoff and subsurface water
14 30 drainage to total water flow from the drainage district.

14 31 2. The department shall submit a report to the governor
14 32 and the general assembly which includes a summary of its
14 33 methodology, the findings of the study, and any
14 34 recommendations, by January 15, 2011.

14 35 Sec. 13. FINANCIAL INCENTIVES TO IMPROVE WATERSHED
15 1 STRUCTURES. There is appropriated from the rebuild Iowa fund
15 2 created in section 8.57D to the department of agriculture and
15 3 land stewardship for the fiscal year beginning July 1, 2009,
15 4 and ending June 30, 2010, the following amount, or so much
15 5 thereof as is necessary, to be used for the purposes
15 6 designated:

15 7 For providing financial incentives to landowners to
15 8 increase the design capacity of conservation structures, such
15 9 as terraces, water control basins, and grade structures, and
15 10 including salaries, support, maintenance, and miscellaneous
15 11 purposes:

15 12 \$ 1,500,000

15 13 1. The moneys appropriated by this section shall be
15 14 allocated to soil and water conservation districts as
15 15 determined by the department. A district's award of financial
15 16 incentives to a landowner shall be made on a cost-share basis
15 17 in the same manner as an award of financial incentives to
15 18 support the voluntary establishment of soil and water
15 19 conservation practices as provided in section 161A.73. A
15 20 district shall award financial incentives to support
15 21 communities which are presented with the most immediate threat
15 22 from an excessive precipitation event.

15 23 2. Notwithstanding section 8.33, moneys appropriated in
15 24 this section to the department of agriculture and land
15 25 stewardship that remain unencumbered or unobligated at the
15 26 close of the fiscal year shall not revert but shall remain
15 27 available for expenditure for the purposes designated until
15 28 the close of the fiscal year beginning July 1, 2012.

15 29 Sec. 14. EMERGENCY RESTORATION OF SOIL AND WATER
15 30 CONSERVATION PRACTICES NOT COVERED BY FEDERAL OPERATION AND
15 31 MAINTENANCE AGREEMENTS. There is appropriated from the
15 32 rebuild Iowa fund created in section 8.57D to the department
15 33 of agriculture and land stewardship for the fiscal year
15 34 beginning July 1, 2009, and ending June 30, 2010, the
15 35 following amount, or so much thereof as is necessary, to be

16 1 used for the purposes designated:

16 2 1. For the restoration of permanent soil and water
16 3 conservation practices in order to prevent future erosion, in
16 4 excess of the applicable soil loss limits, caused by the
16 5 disaster emergency associated with the 2008 precipitation
16 6 event:

16 7 \$ 6,000,000

16 8 2. The moneys appropriated in this section shall be used
16 9 to provide one-time financing on a cost-share basis as
16 10 provided in chapter 161A, division V, part 2, to assist

16 11 landowners to reconstruct or repair soil and water
16 12 conservation practices which were constructed or maintained
16 13 under an operation and maintenance agreement executed with the
16 14 United States department of agriculture pursuant to 7 C.F.R.
16 15 pt. 654, if the landowners are not eligible to finance the
16 16 restoration under that agreement.

16 17 3. Notwithstanding section 8.33, moneys appropriated in
16 18 this section to the department of agriculture and land
16 19 stewardship that remain unencumbered or unobligated at the
16 20 close of the fiscal year shall not revert but shall remain
16 21 available for expenditure for the purposes designated until
16 22 the close of the fiscal year beginning July 1, 2012.

16 23 DIVISION IV

16 24 EXPENDITURES FOR MULTI=FAMILY HOUSING PROJECTS

16 25 Sec. 15. MULTI=FAMILY HOUSING PROJECTS. There is
16 26 appropriated from the rebuild Iowa fund created in section
16 27 8.57D to the Iowa finance authority for the fiscal year
16 28 beginning July 1, 2009, and ending June 30, 2010, the
16 29 following amount, or so much thereof as is necessary, to be
16 30 used for the purposes designated:

16 31 For providing grants to cities or counties for multi=family
16 32 residential housing:

16 33 \$ 9,500,000

16 34 1. The authority shall use the moneys appropriated
16 35 pursuant to this section to support the construction,
17 1 reconstruction, or rehabilitation of buildings and associated
17 2 structures or landscaping associated with multi=family
17 3 residences not occupied by its titleholder, if there is a
17 4 shortage of such available housing in a county subject to the
17 5 presidential disaster declaration DR=1763=IA occurring after
17 6 May 24, 2008, and before August 14, 2008.

17 7 2. The authority shall award a grant provided in this
17 8 section to a city or county on a cost=share basis with the
17 9 division contributing seventy percent of the project's cost.
17 10 A city or county shall not use moneys appropriated by the
17 11 state in order to satisfy its thirty percent cost=share
17 12 contribution.

17 13 3. A city or county shall apply to the authority to be
17 14 awarded a grant in a manner and according to procedures
17 15 required by the authority. When approving the application,
17 16 the authority may approve all or part of the requested award.

17 17 4. A city or county shall not be awarded a grant under
17 18 this section, if the county or city has received a grant for
17 19 the same project under a different section of this Act, unless
17 20 moneys are available under this section to support awards for
17 21 all qualified projects.

17 22 5. The general assembly intends that moneys appropriated
17 23 to the division under this section support as many qualified
17 24 projects as possible.

17 25 6. The authority may cooperate with interested federal,
17 26 state, and local agencies or private organizations in
17 27 administering a project.

17 28 7. Notwithstanding section 8.33, moneys appropriated in
17 29 this section to the authority that remain unencumbered or
17 30 unobligated at the close of the fiscal year shall not revert
17 31 but shall remain available for expenditure for the purposes
17 32 designated until the close of the fiscal year beginning July
17 33 1, 2011.

17 34 DIVISION V

17 35 IOWA FLOOD CENTER

18 1 Sec. 16. Section 466B.3, subsection 6, paragraph b,
18 2 subparagraph (7), Code 2009, is amended by striking the
18 3 subparagraph.

18 4 Sec. 17. Section 466B.9, Code 2009, is amended to read as
18 5 follows:

18 6 466B.9 RULEMAKING AUTHORITY.

18 7 The department and the department of agriculture and land
18 8 stewardship shall have the power and authority reasonably
18 9 necessary to carry out the duties imposed by this chapter. ~~As~~
~~18 10 to the department, this includes rulemaking authority to carry~~
~~18 11 out the regional watershed assessment program described in~~
~~18 12 section 466B.5. As to the department of agriculture and land~~
~~18 13 stewardship, this includes rulemaking authority to assist in~~
~~18 14 the implementation of community-based subwatershed improvement~~
~~18 15 plans.~~

18 16 Sec. 18. NEW SECTION. 466C.1 DEFINITIONS.

18 17 For purposes of this chapter, unless the context otherwise
18 18 requires:

18 19 1. "Center" means the Iowa flood center established
18 20 pursuant to section 466C.2.

18 21 2. "Council" means the water resources coordinating

18 22 council established in section 466B.3.

18 23 3. "Regional watershed" means the watershed of hydrologic
18 24 unit code scale 8.

18 25 4. "Subwatershed" means a watershed of hydrologic unit
18 26 code scale 12 or smaller.

18 27 5. "Watershed" means a geographic area in which surface
18 28 water is drained by rivers, streams, or other bodies of water.

18 29 Sec. 19. NEW SECTION. 466C.2 IOWA FLOOD CENTER.

18 30 1. The state board of regents shall establish and maintain
18 31 in Iowa City as a part of the state university of Iowa an Iowa
18 32 flood center. In conducting the activities of this chapter,
18 33 the center shall work cooperatively with the department of
18 34 natural resources, the department of agriculture and land
18 35 stewardship, the water resources coordinating council, and
19 1 other state and federal agencies.

19 2 2. The Iowa flood center shall have all of the following
19 3 purposes:

19 4 a. To develop hydrologic models for physically-based flood
19 5 frequency estimation and real-time forecasting of floods,
19 6 including hydraulic models of floodplain inundation mapping.

19 7 b. To establish community-based programs to improve flood
19 8 monitoring and prediction along Iowa's major waterways and to
19 9 support ongoing flood research.

19 10 c. To share resources and expertise of the Iowa flood
19 11 center.

19 12 d. To assist in the development of a workforce in the
19 13 state knowledgeable regarding flood research, prediction, and
19 14 mitigation strategies.

19 15 e. To conduct the activities required by this chapter in
19 16 cooperation with various state and federal agencies.

19 17 Sec. 20. NEW SECTION. 466C.3 REGIONAL WATERSHED
19 18 ASSESSMENT, PLANNING, AND PRIORITIZATION.

19 19 1. The center shall create a regional watershed assessment
19 20 program. The program shall assess all the regional watersheds
19 21 in the state.

19 22 a. Under the program, a statewide assessment shall be
19 23 conducted at the rate of approximately one-third of the
19 24 watersheds in the state per year, and an initial statewide
19 25 assessment shall be completed within three years. Thereafter,
19 26 the center shall review and update the assessments on a
19 27 regular basis.

19 28 b. Each regional watershed assessment shall provide a
19 29 summary of the overall condition of the watershed. The
19 30 information provided in the summary may include land use
19 31 patterns, soil types, slopes, management practices, stream
19 32 conditions, and both point and nonpoint source impairments.

19 33 c. In conducting regional watershed assessments, the
19 34 center may identify and facilitate local data collection to
19 35 support the assessment process.

20 1 2. In conducting the regional watershed assessment
20 2 program, the center shall provide hydrologic and geologic
20 3 information sufficient for the council to prioritize
20 4 watersheds statewide and for the various communities in those
20 5 watersheds to plan remedial efforts in their local communities
20 6 and subwatersheds.

20 7 3. Upon completion of the initial statewide assessment,
20 8 and upon subsequent assessment updates, the center shall
20 9 report the results of the assessment, and any updates, to the
20 10 council and the general assembly, and shall make the report
20 11 available to the public.

20 12 Sec. 21. NEW SECTION. 466C.4 COMMUNITY-BASED
20 13 SUBWATERSHED IMPROVEMENT PLANS.

20 14 1. After the center's completion of the initial regional
20 15 watershed assessment, and after the council's prioritization
20 16 of the regional watersheds, the council shall initiate the
20 17 organization of an interagency integrated water resources
20 18 committee to facilitate the development and implementation of
20 19 local, community-based subwatershed improvement plans.

20 20 2. In facilitating the development of community-based
20 21 subwatershed improvement plans, the interagency integrated
20 22 water resources committee shall, based on the results of the
20 23 regional watershed assessment program, identify critical
20 24 subwatersheds within priority regional watersheds and recruit
20 25 communities, citizen groups, local governmental entities, or
20 26 other stakeholders to engage in the assessment, planning,
20 27 prioritization, and implementation of a local community-based
20 28 subwatershed improvement plan. The interagency integrated
20 29 water resources committee may assist in the formation of a
20 30 group of initial local community-based subwatershed
20 31 improvement plans that can be implemented as pilot projects,
20 32 in order to develop an effective process that can be

20 33 replicated across the state.

20 34 Sec. 22. NEW SECTION. 466C.5 COMMUNITY=BASED

20 35 SUBWATERSHED MONITORING.

21 1 1. After completion of the statewide regional watershed
21 2 assessment and prioritization, and throughout the
21 3 implementation of local community=based subwatershed
21 4 improvement plans, the center shall assist communities with
21 5 the monitoring and measurement of local subwatersheds. The
21 6 monitoring and measurement shall be designed for the
21 7 particular needs of individual communities while considering
21 8 statewide watershed issues.

21 9 2. Local communities in which the center conducts
21 10 subwatershed monitoring shall use the information to support
21 11 subwatershed planning activities, guide supplemental local
21 12 data collection efforts, and identify priority areas needing
21 13 additional resources. Local communities shall collect data
21 14 over time and use the data to evaluate the impacts of their
21 15 management efforts. Data collected, as directed by
21 16 interagency integrated water resources committees, shall be
21 17 integrated into a digital regional watershed framework in
21 18 real=time, or near real=time, by the center for use in
21 19 assessment and planning by all the communities in the
21 20 watershed. The center shall integrate digital regional
21 21 watershed information into a digital statewide framework for
21 22 assessment and planning for state water resources planning.

21 23 Sec. 23. NEW SECTION. 466C.6 DEVELOPMENT OF ADVANCED
21 24 NUMERICAL TOOLS FOR WATER RESOURCES MANAGEMENT.

21 25 1. After completion of the statewide regional watershed
21 26 assessment and prioritization, the center shall develop and
21 27 implement physically based hydrologic models to improve
21 28 watershed and community scale flood prediction and mitigation
21 29 planning.

21 30 a. Physically based hydrologic models shall be used to
21 31 improve understanding of frequency of flood occurrence within
21 32 the state and to guide risk-based flood mitigation planning.

21 33 b. Physically based hydrologic models shall be used in
21 34 conjunction with hydrologic sensor networks to provide
21 35 real=time river discharge forecasts to aid communities in
22 1 implementing flood response plans.

22 2 2. The center shall produce flood inundation maps relating
22 3 the spatial extent of flooding to predicted stream flows.

22 4 a. The center shall perform hydrodynamic simulations of
22 5 river flow to create detailed water surface profiles for use
22 6 in developing high=resolution flood inundation maps. A
22 7 library of inundation maps including but not limited to the
22 8 one hundred year and five hundred year recurrence intervals
22 9 shall be developed and made available along all rivers and
22 10 streams within each watershed. In addition to the static
22 11 library of flood inundation maps, the center shall provide
22 12 real=time forecasted flood inundation maps during the threat
22 13 of severe flooding for imperiled communities.

22 14 b. Flood inundation maps shall be stored in a geospatial
22 15 database and publicly distributed through web=based
22 16 applications.

22 17 Sec. 24. NEW SECTION. 466C.7 COMMUNITY ENGAGEMENT AND
22 18 TRAINING.

22 19 1. The center shall implement statewide programs to
22 20 educate Iowans on water quality, best management practices,
22 21 and flood risk and mitigation.

22 22 2. The center shall provide technical training through
22 23 regional workshops and short courses to water resources
22 24 professionals in state agencies, city and county
22 25 administrators, and private companies. Training shall focus
22 26 on application of hydrologic and water quality monitoring and
22 27 forecasting technologies.

22 28 Sec. 25. IOWA FLOOD CENTER. There is appropriated from
22 29 the rebuild Iowa fund created in section 8.57D to the
22 30 university of Iowa for the fiscal year beginning July 1, 2009,
22 31 and ending June 30, 2010, the following amount, or so much
22 32 thereof as is necessary, to be used for the purposes
22 33 designated:

22 34 For use by the university's college of engineering to
22 35 establish and administer an Iowa flood center as provided in
23 1 this division:
23 2 \$ 1,300,000

23 3 DIVISION VI
23 4 FLOODPLAIN MAPPING

23 5 Sec. 26. LIDAR BASED MAPPING. There is appropriated from
23 6 the general fund of the state to the department of natural
23 7 resources for the fiscal year beginning July 1, 2009, and
23 8 ending June 30, 2010, the following amount, or so much thereof

23 9 as is necessary, to be used for the purposes designated:
23 10 For purposes of developing floodplain maps for the entire
23 11 state from light detection and ranging (LIDAR) topographic
23 12 data, including salaries, support, maintenance, and
23 13 miscellaneous purposes:
23 14 \$ 1,000,000
23 15 Notwithstanding section 8.33, moneys appropriated in this
23 16 section to the department that remain unencumbered and
23 17 unobligated at the close of the fiscal year shall not revert
23 18 but shall remain available for expenditure for the purposes
23 19 designated until the close of the fiscal year beginning July
23 20 1, 2011.

23 21 DIVISION VII
23 22 REPORTS

23 23 Sec. 27. REPORT. The homeland security and emergency
23 24 management division of the department of public defense, the
23 25 department of agriculture and land stewardship, the Iowa
23 26 finance authority, and the department of natural resources
23 27 shall each provide a report to the general assembly not later
23 28 than January 11, 2010. The report shall include a description
23 29 of projects supported under this Act, moneys expended or
23 30 obligated under this Act, and the status of pending
23 31 applications and uncompleted projects.

23 32 EXPLANATION
23 33 This bill appropriates moneys and creates projects and
23 34 establishes programs to provide relief to persons and property
23 35 affected by natural disaster or to prevent or mitigate the
24 1 effects of a future natural disaster.

24 2 DIVISION I == REBUILD IOWA FUND AND APPROPRIATIONS. The
24 3 bill creates a temporary rebuild Iowa fund under the authority
24 4 of the department of public defense for use by the homeland
24 5 security and emergency management division. The fund is
24 6 supported by appropriations made from two sources: (1) the
24 7 Iowa economic emergency fund (Code section 8.55) and (2) the
24 8 cash reserve fund (Code section 8.56).

24 9 DIVISION II == EXPENDITURES FOR PUBLIC AND PRIVATE
24 10 INFRASTRUCTURE. The bill provides for a number of public or
24 11 private infrastructure projects affected by natural disaster
24 12 or to prevent or mitigate the effects of a future natural
24 13 disaster, in those counties subject to the presidential
24 14 disaster declaration DR=1763=IA occurring after May 24, 2008,
24 15 and before August 14, 2008. The projects are administered by
24 16 the homeland security and emergency management division and
24 17 supported by the rebuild Iowa fund and are for grants to
24 18 counties or cities with a requirement that state contributions
24 19 be matched 30 percent. These include flood aversion projects;
24 20 storm water drainage system projects; cultural and historical
24 21 projects; single-family residential property acquisition
24 22 projects; parks, green spaces, and recreational areas
24 23 projects; day care relocation projects; and nonprofit
24 24 entities' restoration projects. The bill also provides an
24 25 appropriation from the rebuild Iowa fund to support a grant to
24 26 a human resources assistance directory project.

24 27 DIVISION III == EXPENDITURES FOR LONG-TERM SOIL AND WATER
24 28 MANAGEMENT PRACTICES. The bill supports a number of soil and
24 29 water conservation practices administered by the department of
24 30 agriculture and land stewardship from moneys appropriated from
24 31 the rebuild Iowa fund. Moneys are appropriated for a two-year
24 32 study to determine the impact of agricultural land management
24 33 practices on hydrology. Financial incentives are provided to
24 34 soil and water conservation districts to allow landowners to
24 35 increase the design capacity of conservation structures, and
25 1 are provided to landowners for the restoration of permanent
25 2 soil and water conservation practices caused by the 2008
25 3 rains. The financial incentives are awarded to landowners on
25 4 a cost-share basis, with the landowner contributing 50
25 5 percent.

25 6 DIVISION IV == EXPENDITURES FOR MULTI-FAMILY HOUSING
25 7 PROJECTS. The bill provides for multi-family housing projects
25 8 supported from the rebuild Iowa fund and administered by the
25 9 Iowa finance authority, including by providing for the
25 10 construction, reconstruction, or rehabilitation of buildings
25 11 and associated structures or landscaping associated with
25 12 multi-family residences which were damaged by natural
25 13 disaster.

25 14 DIVISION V == IOWA FLOOD CENTER. The bill creates an Iowa
25 15 flood center and allocates duties between the Iowa flood
25 16 center and the water resources coordinating council.
25 17 The bill requires the state board of regents to establish
25 18 and maintain in Iowa City as a part of the state university of
25 19 Iowa an Iowa flood center. The bill provides that the Iowa

25 20 flood center shall develop hydrologic models for physically
25 21 based flood frequency estimation and real-time forecasting of
25 22 floods, including hydraulic models of floodplain inundation
25 23 mapping, establish community-based programs to improve flood
25 24 monitoring and prediction along Iowa's major waterways and to
25 25 support ongoing flood research, share resources and expertise
25 26 of the Iowa flood center, and assist in the development of a
25 27 workforce in the state knowledgeable regarding flood research,
25 28 prediction, and mitigation strategies.

25 29 Currently, the department of natural resources and the
25 30 water resources coordinating council are responsible for
25 31 regional watershed assessment, planning, and prioritization;
25 32 community-based subwatershed improvement plans; and
25 33 community-based subwatershed monitoring. The bill moves many
25 34 of these duties to the Iowa flood center with some
25 35 modifications.

26 1 The bill requires the center to create a regional watershed
26 2 assessment program. The program shall assess all the regional
26 3 watersheds in the state. Under the program, a statewide
26 4 assessment shall be conducted at the rate of approximately
26 5 one-third of the watersheds per year, and shall be completed
26 6 within three years. The bill provides that, in conducting the
26 7 regional watershed assessment program, the center shall
26 8 provide hydrologic and geologic information sufficient for the
26 9 water resources coordinating council to prioritize watersheds
26 10 statewide and for the various communities in those watersheds
26 11 to plan remedial efforts in their local communities and
26 12 subwatersheds. The bill requires the center to report the
26 13 results of the assessment to the council and the general
26 14 assembly, and to make the report available to the public.

26 15 The bill provides that, after the center's completion of
26 16 the initial regional watershed assessment, and after the
26 17 council's prioritization of the regional watersheds, the
26 18 council shall initiate the organization of an interagency
26 19 integrated water resources committee to facilitate the
26 20 development and implementation of local, community-based
26 21 subwatershed improvement plans. The bill provides that, in
26 22 facilitating the development of community-based subwatershed
26 23 improvement plans, the interagency integrated water resources
26 24 committee shall, based on the results of the regional
26 25 watershed assessment program, identify critical subwatersheds
26 26 within priority regional watersheds and recruit communities,
26 27 citizen groups, local governmental entities, or other
26 28 stakeholders to engage in the assessment, planning,
26 29 prioritization, and implementation of a local community-based
26 30 subwatershed improvement plan.

26 31 The bill provides that, after completion of the statewide
26 32 regional watershed assessment and prioritization, and
26 33 throughout the implementation of local community-based
26 34 subwatershed improvement plans, the center shall assist
26 35 communities with the monitoring and measurement of local
27 1 subwatersheds. The bill provides that local communities in
27 2 which the center conducts subwatershed monitoring shall use
27 3 the information to support subwatershed planning activities,
27 4 guide supplemental local data collection efforts, and identify
27 5 priority areas needing additional resources.

27 6 The bill provides that, after completion of the statewide
27 7 regional watershed assessment and prioritization, the center
27 8 shall develop and implement physically based hydrologic models
27 9 to improve watershed and community scale flood prediction and
27 10 mitigation planning. The bill requires the center to produce
27 11 flood inundation maps relating the spatial extent of flooding
27 12 to predicted stream flows.

27 13 The bill requires the center to implement statewide
27 14 programs to educate Iowans on water quality, best management
27 15 practices, and flood risk and mitigation. The bill requires
27 16 the center to provide technical training through regional
27 17 workshops and short courses to water resources professionals
27 18 in state agencies, city and county administrators, and private
27 19 companies.

27 20 The bill appropriates moneys for the 2009=2010 fiscal year
27 21 from the rebuild Iowa fund to the university of Iowa for use
27 22 in creating the center.

27 23 DIVISION VI == LIDAR BASED MAPPING. The bill appropriates
27 24 moneys from the rebuild Iowa fund to the department of natural
27 25 resources for purposes of developing floodplain maps for the
27 26 entire state from light detection and ranging (LIDAR)
27 27 topographic data.

27 28 DIVISION VII == REPORTS. The bill requires the agencies
27 29 appropriated moneys to submit reports to the general assembly
27 30 not later than January 11, 2010, regarding supported projects

27 31 described in the bill.
27 32 LSB 2684YC 83
27 33 da/rj/14